

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action mailed November 17, 2006.

Applicant thanks the Examiner for the opportunity of a telephone interview conducted on March 16, 2007. During the interview, applicant's representative proposed amending claim 6 by clarifying that the control section comprises a server controlling a driving operation for the endoscope by executing external application software. The Examiner agreed that the cited reference, Uchikubo, U.S. Patent No. 6,602,185, does not disclose or suggest such features and stated that he will mail out an Interview Summary stating that it does not do so. The foregoing will serve as applicant's Statement of the Substance of the Interview.

New claims 14-16 are added so as more fully to claim patentable aspects of applicant's invention. New claims 14-16 are fully supported by applicant's disclosure, see for example applicant's disclosure, page 54, lines 13-19. Claims 14-16 depend from claims 6, 9 and 13 respectively, and are therefore patentably distinguishable over the cited art for at least the same reasons as their respective base claims.

Accordingly, claims 6-16 are the claims currently presented for examination.

Claims 6-13 are amended to clarify features recited thereby or to conform them more closely to U.S. patent practice style.

Claims 6-13 are rejected under 35 U.S.C. § 102 as being anticipated by Uchikubo (6,602,185). Reconsideration of this rejection is respectfully requested.

Among the problems recognized and solved by applicant's invention as claimed in the independent claims is that to change a menu for controlling a remote endoscope device requires changing the software in the endoscope device since, for example, a graphical user interface might be programmed in the endoscope device. According to an aspect of the invention as claimed in the independent claims, a control section, which may be located remotely from the endoscope device, controls the endoscope device by executing external application software to handle commands received for controlling the operation of the endoscope device.

Claims 6 and 13 require a control section comprising a server controlling a driving operation for the endoscope by executing external application software. Further, claim 9 requires a remote control device comprising a server operative to receive and execute external application software to control the endoscope device.

Uchikubo does not disclose or suggest a control section or a remote control device that executes external application software, as required by claims 6, 9 and 13. That is, Uchikubo does not disclose or suggest a device that executes an application received from an apparatus external to the device.

Further, since Uchikubo does not disclose or suggest such a feature, Uchikubo is incapable of disclosing or suggesting controlling an endoscope by executing external application software in such a manner, as further required by independent claims 6, 9 and 13.

In addition, the recitations of claims 6, 9 and 13 would not have been obvious based on Uchikubo because Uchikubo does not disclose or suggest the above-identified problem recognized and solved by applicant's invention. Therefore, it is respectfully submitted that a person of ordinary skill in the art would have had no suggestion or motivation for arriving at the recitations of claims 6, 9 and 13 based on the cited art.

Claims 7, 8 and 10-12 depend from claim 6, and accordingly, claims 7, 8 and 10-12 are patentably distinguishable over the cited art for at least the same reasons.

Respectfully, the recitation in the claims of the execution of "external software" is fully responsive to the Examiner's assertion that "in the broadest sense" almost anything can be deemed to be "remote".

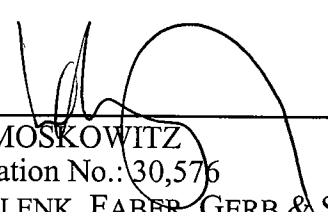
In view of the foregoing discussion, withdrawal of the rejection and allowance of the application are respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Should the Examiner have any questions regarding the present Amendment or regarding the application generally, the Examiner is invited to telephone the undersigned attorney at the below-provided telephone number.

Respectfully submitted,

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MAX MOSKOWITZ
Registration No.: 30,576
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700